

stars had five points or six or whether they were arranged in rows or a circle, was open to different interpretations. Also in our Nation's early years, a new star and a new stripe were added as each new State was added to the Union. The flag that flew over Fort McHenry in 1814 had fifteen stars and fifteen stripes. On April 4, 1818, President James Monroe signed into law the Flag Act of 1818. That act stipulated that, as of July 4, 1819, the flag would consist of thirteen stripes, for the thirteen original colonies, and twenty stars, one for each State at the time. Further, upon admission to the Union, a new star would represent each new State. Thus was born the flag that we know today, the flag that flies over this Capitol building.

Through war and peace, triumph and tragedy, our flag, like our Nation, has endured much over the last two centuries. Hoisted over the victory stand at the Olympics, as it surely will be this summer in Greece, draped over the gaping wound in the side of the Pentagon before it was reconstructed, or printed on sacks of relief supplies sent to crisis situations across the globe, our Nation's flag conveys our pride, our courage, our defiance, and our magnanimity in the face of great challenges. The flag is a part of so many other holidays and celebrations. At the Fourth of July, on Memorial Day, on Veterans Day, and now on the 11th of September, the flag will be flying. And always, the sight of the red, white, and blue pulls us to our feet and stirs our emotions. So it is more than fitting that on one day each year, we honor the flag itself.

I would like to close with one of my favorite poems, by Henry Holcomb, entitled "Hats Off." It is a fitting tribute to our flag.

FLAG DAY

Hats off!
 Along the street there comes
 A blare of bugles, a ruffle of drums,
 A flash of color beneath the sky:
 Hats off!
 The flag is passing by!
 Blue and crimson and white it shines,
 Over the steel-tipped, ordered lines.
 Hats off!
 The colors before us fly;
 But more than the flag is passing by.
 Sea-fights and land fights, grim and great,
 Fought to make and save the State:
 Weary marches and sinking ships;
 Cheers of victory on dying lips;
 Days of plenty and years of peace;
 March of a strong land's swift increase;
 Equal justice, right and law,
 Stately honor and reverend awe;
 Sign of a nation, great and strong
 Toward her people from foreign wrong;
 Pride and glory and honor, all
 Live in the colors to stand or fall.
 Hats off!
 Along the street there comes
 A blare of bugles, a ruffle of drums;
 And loyal hearts are beating high:
 Hats off!
 The flag is passing by!

TRIBUTE TO MAJOR ANNETTE ORTIZ, U.S. AIR FORCE

Mr. LOTT. Mr. President, I wish to take this opportunity to recognize an outstanding Air Force Officer, MAJ Annette Ortiz, for the tremendous work she has done as a member of my staff during the 108th Congress. It is my privilege to recognize her career accomplishments and to commend her for the superb service she has provided the Air Force, the great State of Mississippi, and our Nation.

Major Ortiz earned her commission through ROTC at the University of Hawaii where she graduated in 1990 with a bachelor of arts degree in telecommunications with a minor in German. She completed specialized undergraduate navigator training at Mather Air Force Base in November 1991, and KC-135 Combat Crew Training School at Castle Air Force Base in August 1992. In July 1994, Major Ortiz retrained into the C-130E at Little Rock Air Force Base, where she demonstrated academic excellence.

Following flight school, Major Ortiz reported to the 906th Air Refueling Squadron, 43rd Air Refueling Wing, at Minot Air Force base. While assigned to the 906th, she deployed on inter-command refuelings in the Pacific, European, and Southwest Asian theaters. In support of Operation Restore Hope, the humanitarian re-supply operation in Somalia, she was the lone recipient of the coveted "outstanding performance" evaluation rating during the 15th Air Force Standardization and Evaluation Inspection. She also flew several combat missions into Tuzla and Sarajevo, Bosnia-Herzegovina, including participation in Operations Provide Promise, Joint Endeavor, Deny Flight, Joint Guard, and other NATO supported European operations.

Major Ortiz subsequently served as an Instructor Navigator, C-130E, for the 37th Airlift Squadron, 86th Airlift Wing, at Ramstein Air Force base. During this assignment, she instructed combat employment of the C-130 Adverse Weather Aerial Delivery System, AWADS, and Aircraft Defensive System, ADS. She also led tactical formations of multiple aircraft during joint airborne transportability training and special assignment regarding combat mission planning, tactical formation, and airdrop/airland procedures.

Major Ortiz's next assignment was air operations staff officer, Special Operations Command Pacific, Camp Smith, HI. During this tour, she was first attached to the Air Mobility Warfare Center Tactics Division where she assisted with the instruction of the Combat Aircrew Tactics Training course. She also updated and developed

course curriculum, including the Blue Command and Control course that focused on development of tactics. Subsequently, Major Ortiz was attached to the headquarters Air Force, Directorate for Future Strategic Plan. In this capacity, she participated in the Quadrennial Defense Review and developed strategic personnel initiatives. Major Ortiz was instrumental in the formulation of doctrine and policy that pertained to the total force of Active, Reserve, and civilian Air Force personnel.

In October 2002, Major Ortiz was selected to serve as a legislative fellow and special assistant on my staff. During this 1-year assignment, she was responsible for a wide spectrum of issues that directly affected the security and national defense of the United States. She was also instrumental in carrying out a wide range of special projects, and was particularly effective at coordinating and resolving a broad range of complex military issues for constituents. Major Ortiz also provided expert advice regarding foreign policy matters, and provided effective liaison with senior staff of the Foreign Relations Committee and both Defense Committees. Upon completion of her fellowship, Major Ortiz resumed her status as a Reservist and became a permanent member of my staff, serving as the deputy national security advisor.

Throughout her most distinguished career, MAJ Annette Ortiz has served the Air Force and our Nation with pride and excellence. Her awards include two Air Force commendation medals, Air medal, three Aerial Achievement medals, two with Oak Leaf Cluster, the 15th Air Force outstanding performance flight evaluation, and numerous other campaign and unit distinctions.

Major Ortiz has been an integral member of my staff and has contributed greatly to the best-trained, best-equipped, and best-prepared Air Force in the history of the world. Annette's superb leadership, integrity, and limitless energy have had a profound impact on my entire staff and will continue to positively impact the United States Air Force and our Nation. On behalf of my colleagues on both sides of the aisle, I wish Annette, her husband Carlos, and their children Sofia Anna and Carlos Joseph Alejandro the best of luck in their bright future.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On July 23, 2003, Gregory Johnson, a 17-year-old gay man, and his female friend Brandie Coleman were shot in

the front of the head at point-blank range. The gunman was angry because his sexuality was threatened after an intimate encounter with the cross-dressing Johnson. The bodies were found in the back seat of a burned-out automobile.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

PLEDGE OF ALLEGIANCE ORAL ARGUMENTS

Ms. MURKOWSKI. Mr. President, today the United States Supreme Court issued its decision in the case of *Elk Grove Unified School District v. Michael Newdon*. In *Elk Grove*, as my colleagues are very much aware, the United States Circuit Court of Appeals for the Ninth Circuit held that the phrase "under God" in the Pledge of Allegiance was unconstitutional. On an 8 to 0 vote the Supreme Court dismissed the case on procedural grounds. The ruling effectively preserves the right of children in public schools to recite the full Pledge of Allegiance. I applaud the decision of the Supreme Court.

It is truly right, and a bit ironic, that the Supreme Court issued its decision today on "Flag Day." Today is also the Golden Anniversary of congressional action that added the words "under God" to the Pledge of Allegiance.

I commend Chief Justice William Rehnquist and Judges Sandra Day O'Connor and Clarence Thomas who agreed, I believe properly, that the decision by the Circuit Court of Appeals for the Ninth Circuit should be overturned not on the standing issue but instead because the words "under God" in the pledge do not violate the Constitution.

In response to the decision by the Ninth Circuit Court of Appeals, I introduced Senate Resolution 71, which passed this body by a 94 to 0 vote. The resolution expressed the sense of the Senate that we "strongly disapprove" the decision of the Ninth Circuit and further instructed the Senate Legal Counsel to intervene in the case to defend the constitutionality of the words "under God" in the Pledge and if unable to intervene, to file an amicus curiae brief in support of continuing the constitutionality of the words "under God" in the Pledge.

I do not if my colleagues have had the opportunity to read the amicus curiae brief filed on behalf of the United States Senate. But I want to compliment Patricia Mack Bryan, the Senate Legal Counsel; Morgan J. Frankel, the Deputy Senate Legal Counsel; and Grant Vinik and Thomas Caballero, who are Assistant Senate Legal Counsels. I know they worked hard on the

brief that was filed in December. They said in the brief:

The First Congress not only acknowledged a proper role for religion in public life, but did so at the very time it drafted the Establishment Clause.

They also noted that:

the Public manifestations of our Nation's religious heritage include "an unbroken history of official acknowledgement by all three branches of the government.

The mere reference to a Higher Being or God does not amount to a breach of the establishment clause of the Constitution.

The children born of this century will probably never appreciate the cold war and how in the early fifties, our country felt threatened by China, Russia and the spread of communism. It was in that historical context that Congress added the phrase "under God" to the pledge. As the Senate Legal Counsel related in their brief, the legislative history makes clear that Congress wanted to give credence to the fundamental truth that a Government deriving its powers from the consent of the governed must look to God for divine leadership.

There can be no doubt our Founding Fathers believed then, as I firmly believe today, that our Nation was founded on a fundamental belief in God, and that the actions we take here in the United States Senate and those of our children when they start their day in school each morning must be governed by the principles invoked by a belief in a dedication to our Country and to God, by whatever name you choose to make reference to that power and foundation.

I welcome the decision of the United States Supreme Court that preserves the right of our children and ourselves to say the words "under God" in our Pledge of Allegiance.

SCHIP EXPANSION ACT SUPPORT

Mr. GRAHAM of Florida. Mr. President, I ask unanimous consent that the following letters related to the May 13 introduction of the SCHIP Expansion Act, S. 2420, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
CHILDREN'S HOSPITALS,
June 4, 2004.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAHAM: On behalf of the National Association of Children's Hospitals and our more than 120 member hospitals from across the country, I would like to express our strong support for your bill, S. 2420, "the SCHIP Expansion Act of 2004." Your legislation takes important steps to ensure broader access to health coverage for children, which in turn will improve the overall state of our nation's health.

Since 1997, State have made remarkable progress in their effort to insure low-income children under SCHIP. As of June 2003, SCHIP provided health coverage for 3.9 million children. Over the year from June 2002

to June 2003, enrollment of children in the State Children's Health Insurance Program (SCHIP) increased by roughly 264,000, an increase of 7.3 percent.

But for all that the SCHIP program has accomplished, still more needs to be done. More than 6 million children in the United States remain uninsured. We could reduce the number of uninsured children by more than two-thirds—thereby insuring almost all children—if all children eligible for Medicaid and SCHIP were simply enrolled. By eliminating the upper income eligibility limit in SCHIP, your bill would pave the way to removing children from the ranks of the uninsured.

As providers of care to all children, regardless of their economic status, children's hospitals have extensive experience in assisting families to enroll eligible children in Medicaid and SCHIP. They are keenly aware of the importance of addressing the challenges that states face in enrolling this often hard to reach population of eligible children. We strongly support your efforts to reward States that streamline the SCHIP enrollment and renewal process by providing them with a five percentage point increase in the SCHIP matching rate for specified outreach activities, particularly presumptive and 12-month continuous eligibility.

The Nation's children's hospitals are grateful for your leadership in attempting to provide States with the needed funding and flexibility to expand health coverage to our country's uninsured children. We look forward to working with you to advance this important legislation and once and for all ensure that all children have access to the quality health services they need and deserve.

Sincerely,
LAWRENCE A. MCANDREWS,
President & Chief Executive Officer.

AMERICAN ACADEMY OF PEDIATRICS
Washington, DC, June 8, 2004.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAHAM: I write today on behalf of the 57,000 members of the American Academy of Pediatrics to express our support for the SCHIP Expansion Act of 2004 (S. 2420).

As you know, the State Children's Health Insurance Program (SCHIP) provides health insurance to over 6 million low-income children whose family income is not low enough to qualify for Medicaid but are unable to afford health insurance in the private market. SCHIP and the Medicaid program are a critical child health safety net that currently provides health insurance to over 17 million low-income children. Furthermore, eligibility of these programs covers almost two-thirds of the more than 9 million uninsured children in this country; however, these 6.7 million children remain uninsured because of insufficient enrollment and outreach efforts to enroll these eligible children. Your legislation is an important step towards strengthening and sustaining SCHIP, an important part of the child health safety net.

In particular, this legislation would provide necessary additional funds to fix the SCHIP funding "dip" and allow states to maintain current coverage in the program. As you know, when SCHIP was enacted it was funded at lower levels in the later years of the program in order to meet budget requirements. This "dip" in program funding is coming at a time when states are in need of funds. Estimates suggest that 17 states will experience a federal funding shortfall by FY07. S. 2420 provides necessary funds to allow states to maintain current coverage in SCHIP. This legislation also provides an incentive to the states to improve outreach